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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,515	08/20/2003	Jonathan D. Beard	TUC920030115US1 (16874)	6578
46263	7590	11/17/2006	EXAMINER	
SCULLY, SCOTT, MURPHY, & PRESSER 400 GARDEN CITY PL GARDEN CITY, NY 11530			GYORFI, THOMAS A	
			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/644,515

Applicant(s)

BEARD ET AL.

Examiner

Tom Gyorfi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☒ Claim(s) 12-20 and 28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/20/03</u> . | 6) <input type="checkbox"/> Other: ____  |

### **DETAILED ACTION**

1. Claims 1-30 are pending examination.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 8/20/03 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Claim Objections***

3. Applicant is advised that should claims 1-8 and/or 11 be found allowable, claims 12-19 and/or 20, respectively, will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. Additionally, claim 28 will be objected to under 37 CFR 1.75 as being a substantial duplicate of claim 4. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

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regards as the invention. The claim recites a “program storage device, tangibly embodying a program of instructions executable by a machine” (emphasis Examiner’s); however, the claim and the specification recite at least two machines – a user machine and a client machine – thus making unclear which machine the claimed program is designed to operate.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Guo et al. (U.S. Pre-grant Publication 2003/0217288).

Regarding claims 1, 10-12, and 21:

Guo discloses a method/system/program for authenticating a user’s access to a client machine, comprising: communicating a request for access from the user machine to the client machine (paragraph 0045; element 32 of Figure 3); establishing a login account with login information at the client machine in response to the request (paragraph 0032); encrypting the login information at the client machine and

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communicating the encrypted login information to the user machine (paragraph 0047); communicating the encrypted login information and authentication information associated with the user from the user machine to an authentication server (Ibid, and element 50 of Figure 3); and decrypting the encrypted login information at the authentication server and communicating the decrypted login information to the user machine if the authentication information is acceptable to the authentication server (paragraphs 0049- 0050). For the sake of clarity, it is noted that the "client machine" of Guo corresponds to the user machine of the claim, and the affiliate server(s) of Guo correspond to the "client machine" of the claim.

Regarding claims 2, 13, and 22:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses communicating an identifier associated with the user from the user machine to the client machine (paragraph 0038); encrypting the identifier at the client machine and communicating the encrypted identifier to the user machine (paragraph 0047); communicating the encrypted identifier from the user machine to the authentication server (Ibid, and element 50 of Figure 3); decrypting the encrypted identifier at the authentication server (paragraphs 0039-0040); wherein the decrypted login information is communicated to the user machine if the decrypted identifier is acceptable to the authentication server (paragraphs 0049-0050).

Regarding claims 3, 14, and 23:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses encrypting the identifier at the client machine and communicating the encrypted identifier to the user machine (paragraph 0047); communicating the encrypted identifier from the user machine to the authentication server (Ibid, and element 50 of Figure 3); decrypting the encrypted identifier at the authentication server (paragraphs 0039-0040); wherein the decrypted login information is communicated to the user machine if the decrypted identifier is acceptable to the authentication server (paragraphs 0049-0050).

Regarding claims 4, 15, 24, and 28-30:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses communicating the login information from the user machine to the client machine to enable the user to access the client machine (paragraph 0049; element 60 of Figure 3). As claims 28-30 consist of all the limitations of claim 4, they are rejected by the same rationale.

Regarding claims 5, 16, and 25:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses wherein the login information comprises at least one of a name and a password (paragraph 0032).

Regarding claims 6, 17, and 26:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses wherein the login information is encrypted at the client machine using a public key of a public key-private key pair (paragraph 0040); and the encrypted login information is decrypted at the authentication server using the private key of the public key-private key pair (Ibid).

Regarding claims 7, 18, and 27:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses wherein the authentication identifier comprises an identifier associated with the user (paragraph 0032).

Regarding claims 8 and 19:

Guo discloses all the limitations of claims 1 and 12 above. Guo further discloses wherein the encrypted login information is inaccessible to the user machine (paragraph 0051).

Regarding claim 9:

Guo discloses all the limitations of claim 1 above. Guo further discloses wherein the request for access is communicated from the user machine to the client machine, and the encrypted login information is communicated from the client machine to the user machine via a Secure Sockets Layer connection (paragraphs 0039 and 0055).

***Conclusion***

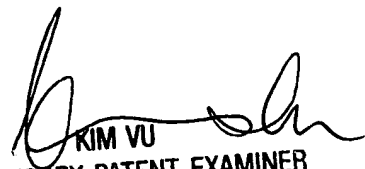
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: U.S. Patent 6,766,454 to Riggins; U.S. Pre-grant Publication 2003/0105966 to Pu et al; and U.S. Pre-grant Publication 2003/0005286 to McGarvey.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:30am - 5:00pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TAG  
11/7/06

  
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